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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

LOREN MICHELLE TOELLE,

Petitioner,

v.

WARDEN OF VICTORVILLE CAMP FCI,  
MED, I,

Respondent.

Case No.: 2:24-cv-00815-APG-BNW

**Order**

This habeas corpus action, under 28 U.S.C. § 2241, was initiated, *pro se*, by Loren Michelle Toelle, on April 29, 2024. On that date, Toelle submitted for filing a habeas petition (ECF No. 1-1) and supporting exhibits (ECF Nos. 1-1, 1-2). Toelle's petition was not filed because Toelle did not pay the filing fee or apply to proceed *in forma pauperis*.

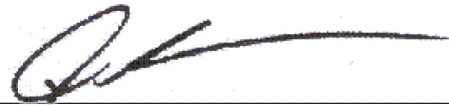
In an order entered May 10, 2024 (ECF No. 3), I gave Toelle 60 days—to July 9, 2024—to either pay the filing fee or apply for *in forma pauperis* status if he wishes to proceed with this action. I had the Clerk of the Court send Toelle the forms he would need to apply to proceed *in forma pauperis*.

In the May 10 order, I noted that Toelle's habeas petition has obvious flaws: The petition is not on the form required by this Court; it lacks information that I would need to properly screen it, and, if warranted, adjudicate it; it does not clearly allege that Toelle is in custody, or that he was in custody when the petition was submitted; this Court does not have jurisdiction over the respondent named in the petition. I had the Clerk of the Court send Toelle the form he would need to draft an amended petition.

1 In the May 10 order, I ordered that if Toelle did not, by July 9, 2024, (1) pay the \$5 filing  
2 fee or apply to proceed *in forma pauperis*, and (2) submit an amended habeas petition for filing, I  
3 would dismiss this action without prejudice. I stated that if Toelle determined that he filed this  
4 action in this Court in error, he could simply do nothing, and this case would be dismissed  
5 without prejudice. Toelle did nothing. He did not file anything by the July 9, 2024, deadline.  
6 Therefore, I will dismiss this action without prejudice.

7 **I THEREFORE ORDER** that this action is **DISMISSED WITHOUT PREJUDICE**.  
8 The Clerk of the Court is directed to enter judgment accordingly and close this case.

9 Dated: July 10, 2024



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE